

**Town of Scituate
Conservation Commission
Selectmen's Hearing Room
Meeting Minutes
February 11, 2019**

Members Present: Chairman Mr. Richard Harding, Ms. Penny Scott-Pipes, Ms. Jen Foley, Mr. Doug Aaberg and Ms. Lisa Caisse

Not Present: Mr. Frank Snow and Mr. Paul Parys

Also Present: Amy Walkey, Conservation and Natural Resource Officer

DISCUSSION/ UPDATE:

6:15PM: Call to Order and Agenda Acceptance

Ms. Penny Scott-Pipes made motion to accept agenda with as written. Mr. Doug Aaberg second. Unanimous vote accepted. (5-0)

PUBLIC HEARINGS NOI/ANRAD

33 Oceanside Dr, (raze, move dwelling), Applicant, Alfred Boyajian, Representative: Paul Mirabito, Ross Engineering Co., Inc. 68-2767

Paul Mirabito from Ross Engineering Co. submitted after last meeting an updated site plan. Submitted photos of house prior to demo. Alfred Boyajian, owner, present.

Penny – how much fill bringing in – 700 cu yds. Not supportive of fill, berms, and foundation.

Doug – Did we receive any input from CZM, DEP? No – not specific to this case. However, no performance standards for land subject to coastal storm flowage, but we know they are pending. Points to focus on are regarding the act, protection of storm damage prevention and flood control and demonstrating not going to have an impact on abutters.

Lisa- concern potential impact of landscape walls. Additional solid structure in addition to foundation that will impact abutters if wave hits it. What material using for fill?

Paul M- the top of wall is elevation 15.9. FEMA is 15. Wall 11 inches higher then flood waters would be. This plan, when this area flood, water going down street and find low areas. Smaller storms (not ocean floods) infiltrators will collect water off roof, so doesn't go into street. Would be recharging the lot with infiltrators.

Berm will be planted – 1 ft above existing grade. Wall keeps fill from washing out. Fill is gravel. Lawn on top. Jen F- not in favor berm and walls. If wall is keep water off property, then will affect abutters.

Compare existing conditions with proposed. This house is smaller than previous house which is part of how impact is different.

Amy Grozier – 72 Kenneth Rd - renew objection to wall and berm. Concerned will reroute water. Has photos going back to 2001 of water through area. So much sand, nothing grows in that area. She cleans catch basins in street from what washes into it during storms so does not fill.

Richard – reminder that nothing happens until fine is paid. Even if meets conditions to be approved, how project affects neighbors will be considered. Can we get a silt sock around currently while waiting for orders? Would this be possible to do within the week. Mr. Boyajian agreed.

37 Oceanside Nancy McDonald – wall is concern. Would like guarantee that will not affect water getting in her home. Currently, past 3 years, no water in home.

Richard – cannot guarantee. Hearings are to hear concerns of abutters. It is a concern of commission to make sure neighbors are not adversely affected.

Doug – elevations of 12 ft contour closes on itself, so does not see where is will go, looks to him will puddle on driveway and be on McDonald property. Concern that plan will not work to direct water. Does not see how water goes to Oceanside.

Doris Crary - Oceanside Dr – concerned about this being A zone, coastal area – typically don't put slabs in this kind of area. FEMA doesn't like fill in these areas. It will create scour and direct the water to the street and property on other side. Redirecting water a concern and concern slab could collapse. Most using foundation with breakaway so don't stop flow. Design needs to be looked at. Provided document showing FEMA recommending not using fill in these areas.

Ms. Penny Scott-Pipes motion to close 33 Oceanside Dr. Mr. Doug Aaberg second. Unanimous all in favor (5-0).

87 Glades Rd (raze & rebuild with septic system repair), Applicant: Doris Crary, Representative: Jeff Hassett, Morse Engineering Co., Inc., 68-2765

Ms. Penny Scott-Pipes motion to continue 87 Glades Rd. to March 4, 2019 at 6:20pm. Mr. Doug Aaberg second. Unanimous all in favor (5-0).

606 Chief Justice Cushing Hwy (Athletic Track and Fields renovation and concession stand), Applicant: Maura Glancy, Town of Scituate; Representative: Sean O'Connell, Activitas Inc.

Sean O'Connell working with Activitas. Working with Deb from Merrill Engineering on peer review. Hoping to be able to close at following hearing. Would like to see if any questions or concerns from commission and abutters to address and discuss. Hearing with Planning Board has been opened, but has also been continued.

Ms. Penny Scott-Pipes motion to continue 606 Chief justice Cushing Hwy. to March 4, 2019 at 6:20pm. Ms. Lisa Caisse second. Unanimous all in favor (5-0).

18 Evangaline Dr. (pool and patio), Applicant: Patrick McNamara, Representative: Jeff Hassett, Morse Engineering Co., 68-2775

James Garfield, Morse Engineer, representing McNamara's. Greg came previous meeting. Additional information has been asked for regarding fence location and plantings. New plans clearly define where fence will go, keeping out of 50ft buffer. Landscape plan submitted.

Ms. Penny Scott-Pipes motion to close 18 Evangaline Dr. Mr. Doug Aaberg second. Unanimous all in favor (5-0).

109 Jericho Rd (raze/rebuild), Applicant: Wolf, Representative: Jeff Hassett, Morse Engineering

James Garfield, Morse Engineering. Discussed site plan. Entire site in FEMA AE elevation 15. Salt marsh also factor. Proposing first floor elevation 18. Providing flood vents. Storm water bylaw due to increase in impervious area from increase in roof and driveway. Proposing gravel trench and roof drywell system connecting runoff from proposed roof. Still working on revisions from Merrill peer review. Increase in sq ft. part of what triggered SW. Structural plan submitted with NOI. Doug mentioned that even though new construction, not changing flow of water – not changing contours of lot.

Ms. Penny Scott-Pipes motion to continue 109 Jericho Rd. to March 4, 2019 at 6:20pm Mr. Doug Aaberg second. Unanimous all in favor (5-0).

Tack Factory Pond Dr. (Well 17A Treatment Plant), Applicant: Town of Scituate; Representative: Amanda Houle, Tighe and Bond

Ms. Penny Scott-Pipes motion to continue Tack Factory Pond. Ms. Lisa Caisse second. Unanimous all in favor (5-0).

58 Dreamwold Rd, (septic and grading), Applicant: Kevin Lonergan, Representative: Greg Morse, Morse Engineering 68-2776

James Garfield, Morse Engineering, representing owners and applicant. Proposed system outside 50 ft buffer, small portion of grading in the 50ft buffer. Has plan to help with erosion control. Reason for at that point, so system could flow with gravity, and not with pump. As far away as possible to use gravity. Actual leaching field remains outside of 50ft buffer. Do not have board of health approval yet. Not disturbing tree line with grading. This would be an improvement and leaching field is in existing lawn. Suggest adding conservation post at line to discourage clipping piles for future owners. Need to continue until after BOH closes.

Ms. Penny Scott-Pipes motion to continue 58 Dreamwold Rd. to March 4, 2019 at 6:20pm. Mr. Doug Aaberg second. Unanimous all in favor (5-0).

182 Central Ave (deck), Applicant: Richard Bronstein, Representative: Robert Crawford, EET, Inc.

Ms. Penny Scott-Pipes motion to continue 182 Central Ave. to March 4, 2019 at 6:20pm. Ms. Lisa Caisse second. Unanimous all in favor (5-0).

190 Glades Rd (new dwelling), Applicant: Jeffrey Burek, Representative: Brendan Sullivan, Cavanaro Consulting

Abutter notification handed in via email.

Ms. Penny Scott-Pipes motion to continue 190 Glades Road. To March 4, 2019 at 6:20pm. Ms. Lisa Caisse second. Unanimous all in favor (5-0).

21 Franklin St (addition and new deck), Applicant: Brian & Madeline Meehan, Representative: John Zimmer, South River Environmental

John Zimmer with South River Environmental. Representing owner and applicant. Abutter notifications handed in. Reviewed project. This area has not flooded. Building was in the area with fire department in past storms and noticed no flooding in this particular area. NOI is fitting for amount of work being proposed. Doug – reminded for Bob Crawford to mark correctly flood level.

Ms. Penny Scott-Pipes motion to close 21 Franklin St. Mr. Doug Aaberg second. Unanimous all in favor (5-0).

PUBLIC MEETINGS/ADMINISTRATIVE, ENFORCEMENT / PERMITS and OTHER REQUESTS

Request for Determination of Applicability:

13 Glades Rd(repair sewer system)

Philip Spath, representing owners. Discussed plans for project. Removing cess pool. Would be improvement. Road does separate from resource area. Recommend -3.

Ms. Penny Scott-Pipes motion for -3 for 13 Glades Rd. Mr. Doug Aaberg second. Unanimous all in favor (5-0).

NEW BUSINESS: Correspondence, Agent's Report, Violation and Enforcement Orders, Minutes January 7, 2019

ADMINISTRATIVE REVIEW:

3 Irving – Richard did not see anything to keep from running into river. Did we ask for anything? If we did, can we make sure it is done?

SUBCOMMITTEE/ PROJECT UPDATES / MISCELLANEOUS OLD BUSINESS:

OOO: 20 Newton Street (rebuild existing porch), Applicant: Myron Osborne

Ms. Penny Scott-Pipes motion to accept orders as written for 20 Newton St. Mr. Doug Aaberg second motion. Unanimous vote in favor (5-0)

OOO: 157 Turner Rd (elevate), Applicant, Daniel McAdam

Ms. Penny Scott-Pipes motion to accept orders as written for 157 Turner Rd. Mr. Doug Aaberg second motion. Unanimous vote in favor (5-0)

OOO: 37-39 Collier Rd., Applicant: William Trifone and Steven Masker, 68-2770

Ms. Penny Scott-Pipes motion to accept orders as written for 37-39 Collier Road. Mr. Doug Aaberg second motion. Unanimous vote in favor (5-0)

OOO: 4 Revere St. (pier), Applicant, Joseph Motzi

Ms. Penny Scott-Pipes motion to accept orders as written for 4 Revere St. Mr. Doug Aaberg second motion. Unanimous vote in favor (5-0)

OOO: 16 Booth Hill Rd (after-the-fact NOI, regrading), Applicant: Jamie Davenport

Ms. Penny Scott-Pipes motion to accept orders as written for 16 Booth Hill Rd. Mr. Doug Aaberg second motion. Unanimous vote in favor (5-0)

Partial Certificate of compliance.

240 Clapp Road – suggest hold back \$3000 while waiting period for replanting back yard. Need to get botanist and do a buffer restoration.

Certificate of Compliance: none

AGENT REPORT:

Rousseau property – for sale and receiving questions about orders on property. Potentially will be bought for redevelopment but not sure the fate of use of the property. Would like board's thoughts and history on property. Penny – there was supposed to be clean up because had encroached on town property with junk. If someone is buying it, they need to know there is work that is expected to do to clean up and manage stormwater. If contamination, needs to be addressed. Should consider if new buyer is going to have different use, would want to address issues in process of redeveloping. Need to know how old Enforcement Order.

MACC conference first Saturday in March – let us know if interested in going.

Minutes January 7, 2019 approved.

Motion to adjourn

Ms. Penny Scott-Pipes motion to adjourn 7:45 p.m. Mr. Paul Parys second motion. Unanimous vote in favor (5-0)

Respectfully submitted,

Jennifer Smith
Recording Secretary

CORRESPONDENCE
January 28, 2019 – February 11, 2019

1. Positive Determination from Waterways Regulation Program re: Tack Factory Pong & Scituate Reservoir (in file)
2. Letter from Division of Marine Fisheries to the EEA MPE office re: South River Dredging Project, recommending dredging occur outside sensitive life history phases of marine resources and coordinates with towns' shellfish constables
3. Recording info Partial CofC 135 Old Oaken Bucket Rd 68-2561 Bk 50762 Pg 205
4. Planning Board Agenda February 7, 2019
5. 190 Glades Road abutter notification
6. Request for Extension Permit for Orders of Conditions for Herring Brook Meadow to MassDEP
7. Massachusetts Wildlife magazine No 4 2018
8. Board of Health Agenda February 11, 2019
9. Planning Board Agenda February 7, 2019
10. Go Green aerial photo from Theresa Nielsen concern about dirty water going into marsh